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I have reviewed Qwest's presentation and my major issue is that Qwest is using a change to SMS to work through access and contract issues.

Qwest states the problem being addressed is the Resp Org's responsibility to "notify and obtain acceptance" of traffic routed through their network. This is consistent with the information provided in an e-mail to me in June wherein Maureen Callan of Qwest stated:

"Among other things, you mischaracterize the actions taken by the SMT. The feature you reference is hardly radical as it merely provides system support with regard to the existing responsibility of the Resp Org to "Notify and obtain the acceptance of any LEC or IC to which traffic for a specific 800 number will be routed," as required by Tariff F.C.C. No. 1, Sec.2.3.1."

Therefore I will not be addressing any of their presentation pertaining to access traffic issues and would hope that they are not allowed to use this process to pursue those arguments. Access issues should be dealt with in the access proceedings.

Furthermore, in light of Qwest's June representation and their statement of the issue, this is not the appropriate place to argue contract issues. If Qwest thinks there is an issue of whether a particular CLEC contract allows for the use of 0110, then that needs to be referred to the contract team that deals with this issue. It certainly does not qualify as providing "system support." It is also important that contractual issues not be affected by override options implemented in the feature.

As to the need to be notified and accept traffic, I agree that per the tariff Qwest has that right. For more than a decade Resp Orgs, including my company, have followed various arrangements that the IXC's have in place to assure that this part of the tariff is followed. The ILEC's have never put a process in place and 16.3 would fill that need. In June when the feature was introduced I got e-mail verifications from Verizon, Bell South and SBC that they would not even be using the NCA screen. In conversations with Verizon it was explained that the 16.3 feature would allow them to ensure that the OCN code had an associated Interconnect Agreement. This is a very

reasonable use of the feature and I fully support implementation based on that.

It was clearly Qwest's intent to use this Feature for other purposes. While stating that the Feature was "hardly radical," in September after a number of requests Qwest responded as follow:

"Qwest (QC) does not plan to authorize any customer use of 0110 CIC. Customers may be interested in migrating this traffic to the QCC network."

In conclusion, I support Qwest's right to enforce the tariff. I have supported this since I first asked Qwest to provide a process for complying several years ago. I even offered to supply some of the processes used by the IXCs. I am fully in support of implementing Feature 16.3 as long as the feature is used only as a way to "notify and obtain acceptance" and not a way to overcome issues in their contracts or issues they have with how access is interpreted.